

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RAY LEE VAUGHN,	)	1:01-cv-05241-OWW-DLB-HC
	)	
Petitioner,	)	<b>ORDER ADOPTING AMENDED AND</b>
	)	<b>CORRECTED FINDINGS AND</b>
v.	)	<b>RECOMMENDATIONS</b> (Doc. 61)
	)	
D. ADAMS,	)	
	)	
Respondent.	)	
_____	)	

Petitioner is a state prisoner proceeding pro se with a  
Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254.

On May 22, 2006, the Magistrate Judge filed Amended and  
Corrected Findings and Recommendations that the single claim raised  
in the instant petition for writ of habeas corpus is not  
procedurally defaulted, and the State be directed to file an answer  
to the instant petition within thirty days. These Amended and  
Corrected Findings and Recommendations were served on all parties  
and contained notice that any objections were to be filed within  
fifteen (15) days, and any replies thereto were to be filed within  
five (5) court days therefrom. On May 24, 2006, Respondent filed  
objections to the Findings and Recommendations. On May 30, 2006,  
Petitioner filed a reply thereto.

1 In accordance with the provisions of 28 U.S.C. § 636  
2 (b) (1) (C), this Court has conducted a *de novo* review of the case.  
3 Having carefully reviewed the entire file, including Petitioner's  
4 objections, the Court concludes that the Magistrate Judge's  
5 Findings and Recommendations is supported by the record and proper  
6 analysis. Respondent's objections present no grounds for  
7 questioning the Magistrate Judge's analysis

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The Findings and Recommendations, filed May 22, 2006, are  
10 ADOPTED IN FULL;

11 2. The single claim raised in the instant petition for writ  
12 of habeas corpus is not procedurally defaulted; and,

13 3. The State shall file an answer to the instant petition  
14 within **thirty (30) days** from the date of service of this order.

15 IT IS SO ORDERED.

16 **Dated: June 24, 2006**  
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/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE